

**IN THE UNITED STATES DISTRICT COURTS
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

VALDA MORGAN
Plaintiff,

v.

RAY BRASWELL, ET. AL.,
Defendants.

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CIVIL ACTION NO. 4:10-cv-452
(consolidated with 4:11cv40)

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 28, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants Denton Independent School District, the Denton ISD Board of Trustees (Jim Alexander, Curtis Ramsey, Rudy Rodriguez, Mia Price, Charles Stafford, Jeanette Smith, and Glenna Harris), the Denton ISD Employees (Roger Rutherford, Paige Boroughs, Christene Vaughn, Jamie Wilson, and Debbie Roybal), and Superintendent Ray Braswell's Motion for Partial Dismissal of Plaintiff's Consolidated Amended Complaint (Dkt. 121), Defendant Jill Watkins' Second Amended Motion to Dismiss (Dkt. 122), and Defendant Suzanne Hutchison's Motion to Dismiss (Dkt. 131) be GRANTED, that all Plaintiffs' claims against Braswell, Rutherford, Boroughs, Vaughn, Wilson, Roybal, Hutchison, Alexander, Ramsey, Rodriguez, Stafford, Harris, Price, Smith and Watkins be dismissed for failure to state a claim, that

Plaintiff's Section 1981, 1983, 1985, 1986 and 1988 claims against Denton ISD be dismissed, and that Plaintiff's claims of discrimination and retaliation against Denton ISD remain before the Court for resolution.

The court, having made a *de novo* review of the objections raised by Plaintiff, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Plaintiff are without merit as to the ultimate recommendations. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

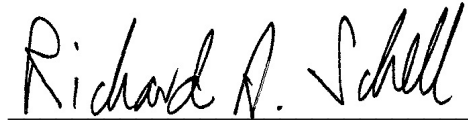
Defendants Denton Independent School District, the Denton ISD Board of Trustees (Jim Alexander, Curtis Ramsey, Rudy Rodriguez, Mia Price, Charles Stafford, Jeanette Smith, and Glenna Harris), the Denton ISD Employees (Roger Rutherford, Paige Boroughs, Christene Vaughn, Jamie Wilson, and Debbie Roybal), and Superintendent Ray Braswell's Motion for Partial Dismissal of Plaintiff's Consolidated Amended Complaint (Dkt. 121), Defendant Jill Watkins' Second Amended Motion to Dismiss (Dkt. 122), and Defendant Suzanne Hutchison's Motion to Dismiss (Dkt. 131) are GRANTED. Plaintiffs' claims against Defendants Braswell, Rutherford, Boroughs, Vaughn, Wilson, Roybal, Hutchison, Alexander, Ramsey, Rodriguez, Stafford, Harris, Price, Smith and Watkins are dismissed for failure to state a claim, and Plaintiff's Section 1981, 1983, 1985, 1986 and 1988 claims against Denton ISD are dismissed.

Plaintiff's claims of discrimination and retaliation against Denton ISD shall remain before the Court for resolution.

Additionally, *within fifteen (15) days of the date of this Order, the parties are directed to submit a proposed scheduling order to govern the remaining claims and deadlines in this case.*

IT IS SO ORDERED.

SIGNED this the 30th day of March, 2012.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath the name.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE